

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JAMES HARRY HODSON, III,)	
Petitioner,)	
)	
)	C.A. No. 05-92 Erie
)	
MARILYN BROOKS, et al,)	
Respondents.)	

ORDER

AND NOW, this 15th day of September, 2006;

IT IS HEREBY ORDERED that an evidentiary hearing in the above-entitled action is scheduled for Wednesday, October 11, 2006, at 10:00 a.m. in Courtroom B, United States District Court, 17 South Park Row, Erie, Pennsylvania.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

s/Susan Paradise Baxter
SUSAN PARADISE BAXTER
CHIEF U.S. MAGISTRATE JUDGE

cc: all parties of record (lw)